

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MOHAMED MONASAR, GABRIELLE WALLS,
GABRIEL ABREU, JESUS HERNANDEZ
TORRES, LUIS MARTINEZ, BRANDON
ROMAN, and OSAMA ALI, on behalf of themselves and
others similarly situated,

NOTICE OF REMOVAL

Case No. 25- Civ. 1337

Plaintiffs,

-against-

THE CITY OF NEW YORK, TARGET
CORPORATION, THE NEW YORK TIMES
COMPANY, BURLINGTON COAT FACTORY
WAREHOUSE CORP., Bj's WHOLESALE CLUB
INC., SAM ASH MUSIC CORPORATION, THE
TJX COMPANIES, LLC D/B/A MARSHALLS,
180 MAIDEN LANE, LLC, SHOP-RITE
SUPERMARKETS, INC., and BARCLAYS BANK
PLC AKA BARCLAYS BANK DELAWARE and
BNOS BAIS YAAKOV OF FAR ROCKAWAY,

Defendants.

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**TO: THE UNITED STATES DISTRICT COURT,
SOUTHERN DISTRICT OF NEW YORK**

Defendant, City of New York, by and through its attorney Muriel Goode-Trufant, Corporation Counsel of the City of New York, respectfully move this Court as follows:

1. On January 17, 2025, City of New York received by email service, on the Office of the Corporation Counsel, a Summons and Complaint filed in the Supreme Court of the State of New York, County of New York, under Index No. 150717/2025. See Exhibit "A"

2. On January 21, 2025, Plaintiff filed an Amended Complaint naming the City of New York, Target Corporation, The New York Times, Burlington Coat Factory Warehouse Corp., BJ's Wholesale Club, Inc., Sam Ash Music Corporations, The TJX Companies, LLC D/B/A Marshalls, 180 Maiden Lane, LLC, Shop-Rite Supermarkets, Inc., and

Barclays Bank PLC aka Barclays Bank Delaware and BNOS Bais Yaakov of Far Rockaway (collectively, “Defendants”), and setting forth the claims for relief upon which the action is based.

3. A copy of Plaintiffs’ Amended Summons and Complaint is annexed hereto as Exhibit “B.”

4. Plaintiffs bring this action alleging that Defendants failed to pay, or failed to timely pay, wages for work performed by the Plaintiffs in violation of the Fair Labor Standards Act, 29 U.S.C. §§ 201, et seq. (“FLSA”), the New York Labor Law, N.Y., Lab. Law §§ 1, et seq. (“NYLL”), and in the alternative the Freelance Isn’t Free Act, N.Y.C., Admin. Code §§ 20-927, et seq. (“FIFA”). See Exhibit “B.”

5. On January 31, 2025, Plaintiffs filed a Notice of Motion for Conditional Certification of Collective Action Against the NYPD and Target. See Exhibit “C.”

6. The above-captioned action is a civil action of which the District Court has original jurisdiction pursuant to 28 U.S.C. § 1331, in that it alleges claims which arise under the Constitution and laws of the United States. This action is therefore removable to the District Court without regard to the citizenship or residence of the parties, pursuant to 28 U.S.C. §§ 1441 and 1443.

7. This Notice of Removal is timely because it is being filed within thirty days of the City of New York’s receipt of the Summons and Complaint. See 28 U.S.C. § 1446(b).

8. All Defendants properly served and joined on the date of this Notice of Removal consent to removal pursuant to 28 U.S.C. § 1446. See Exhibit “D.”

9. Pursuant to 28 U.S.C. §1466(d), counsel for the City of New York shall promptly provide plaintiffs, through their counsel, with written notice of the filing of this Notice of Removal, and shall file a copy of this Notice of Removal with the Clerk of the Supreme Court of the State of New York, County of New York.

10. The City of New York reserves all claims and defenses, including, without limitation, those set forth in Rule 12(b) of the Federal Rules of Civil Procedure

11. The City of New York is unaware of any previous application for the relief requested herein.

WHEREFORE, the City of New York respectfully requests that the above-captioned action be removed from the Supreme Court of the State of New York, County of New York, to the United States District Court for the Southern District of New York.

Dated: New York, New York
February 14, 2025

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